

GOVERNMENT OF TELANGANA

ABSTRACT

Public Services – Labour Employment Training & Factories Department –Allegation of demand and acceptance of bribe against Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli of Karimnagar District – Trapped by Anti Corruption Bureau, Telangana on 29.07.2015 – Sanction of Prosecution under the Prevention of Corruption Act, 1988 (central Act 49 of 1988 – Accorded – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (Emp-Vig) DEPARTMENT

G.O.Ms.No.31

Dated: 11.08.2017

O R D E R:-

Whereas, Sri Damera Venkateshwar Rao, S/o Nambaiah, worked as Assistant Labour Officer, Peddapally of Karimnagar District, during the period from 03.06.2013 to 29.07.2015 and by virtue of the post held by him, he falls under the category of Public Servant as defined clause (c) of section (2) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988).

2. And whereas, Sri Bonkuri Anil, S/o Hanmanthu, Occ: Labour, r/o H.No.2-1-375, Ambedkar Nagar, Peddapalli Town & Mandal of Karimnagar is ekes out his livelihood is doing Electric house wiring works under one mason by name Sri Vinod, R/o Peddapalli Town. In the last year he took membership in Building Construction Welfare Council. Accordingly, he was issued identity card by the Assistant Labour Officer, Peddapalli vide Registration No.KAR/PED/ALO,Peddapalli/4831, dated.25.06.2013. On 25.06.2015 his wife Smt. Laxmi got second delivery and gave birth to a male child at Sri Sai Nursing Home, Peddapalli. When he came to know that the Government is sanctioning an amount of Rs.20,000/- towards maternity benefit to the labours of building construction under the welfare scheme to the registered woman construction worker for two deliveries. As such he approached Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli about one month prior to the date of trap back and submitted an application for sanction of maternity benefit of Rs.20,000/- under the welfare scheme to registered woman construction worker duly enclosing the required documents. Sri Damera Venkateshwar Rao, Assistant Labour Officer received his application and demanded to pay an amount of Rs.5,000/- as bribe in order to forwarded his application to the Deputy Commissioner of Labour, Karimnagar for sanction of maternity benefit. He expressed his inability and stated that he was unable to pay bribe as he is economically poor. For which, Sri Damera Venkateshwar Rao, Assistant Labour Officer, refused to receive his application. Later, Sri Bonkuri Anil met Sri Damera Venkateshwar Rao, Assistant Labour Officer 5 to 6 times and requested regarding maternity benefit. But Sri Damera Venkateshwar Rao, Assistant Labour Officer reiterated his earlier demand and stated that his work would not be done without payment of bribe. Finally Sri Bonkuri Anil met Sri Damera Venkateshwar Rao, Assistant Labour Officer in the morning on 25.7.2015 and requested regarding maternity benefit. But Sri Damera Venkateshwar Rao, Assistant Labour Officer did not heed to his request. On the persistent requests of Sri Bonkuri Anil, Sri Damera Venkateshwar Rao, Assistant Labour Officer reduced the bribe amount to Rs.4,000/- and firmly stated that, his work would be done as and when the demanded bribe amount of Rs.4,000/- was paid. On that Sri Bonkuri Anil reluctantly agreed to pay the demanded bribe to Sri Damera Venkateshwar Rao, Assistant Labour Officer within 3 to 4 days and came back. Sri Bonkuri Anil was unwilling to get his work done by giving bribe amount to Sri Damera Venkateshwar Rao, Assistant Labour Officer. As such he approached the Deputy Superintendent of Police, Anti Corruption Bureau, Karimnagar on 25.07.2015 at 1500 hours and lodged a complaint typed in Telugu with a request to take necessary action against Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli.

3. On receipt of the above complaint, on 25.7.2015 at 1500 hours, the Deputy Superintendent of Police, Anti Corruption Bureau, Karimnagar and made confidential enquiries with regard to the genuineness of the complaint made by Sri Bonkuri Anil and reputation of Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli and thereafter registered a case in Cr.No.20/ACB-KNR/2015 U/s 7 of Prevention of Corruption Act, 1988 after obtaining permission from the Superior Officers on 29.7.2015 at 1100 hours and took up the investigation.

Contd.....

4. And whereas, Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli, Karimnagar District demanded and accepted an amount of Rs.4,000/- through his private assistant Sri Naramalla Krishna as illegal gratification other than legal remuneration from Sri Bonkuri Anil on 29.07.2015 in the office of the Assistant Labour Officer, Peddapalli, Karimnagar District for process & forward the application of Bonkuri Anil for sanction of maternity benefit of Rs.20,000/- to the Deputy Commissioner of Labour, Karimnagar both were trapped by the Deputy Superintendent of Police, Anti Corruption Bureau, Karimnagar Range, Karimnagar. The tainted bribe amount of Rs.4,000/- was recovered at the instance of Sri Naramalla Krishna from the left side back pocket of his wearing trouser at the office of Assistant Labour Office, Peddapalli. When the Chemical test was conducted on both hand fingers and inner flap of left side back pocket of wearing trouser of Sri Naramalla Krishna, which came into contact with tainted amount it yielded positive results. The tainted amount of Rs.4,000/- received from the trouser of Sri Naramalla Krishna and the connected documents were seized by the Deputy Superintendent of Police, Anti Corruption Bureau in the presence of mediators from the possession of Sri Naramalla Krishna, Private Assistant at the instance of Sri Damera Venkateshwar Rao, worked as Assistant Labour Officer.

5. And whereas, the above said acts of Sri Damera Venkateshwar Rao, S/o Nambaiah, worked as Assistant Labour Officer, Peddapalli of Karimnagar District, constitute an offence punishable under sections 7 and sub-section (2) of section 13 read with clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

6. And whereas, the Government of Telangana being the Competent Authority to remove the said Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli of Karimnagar District, from the Government service after fully and carefully examining the material placed before them (i.e. copy of FIR, Mediators Reports I & II, copies of statement of witnesses, final investigation report and all the relevant documents) in respect of the said allegations and having regard to the facts and circumstances of the case, consider that Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli of Karimnagar District, should be prosecuted in a competent court of Law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Telangana hereby accord sanction for the prosecution of Sri Damera Venkateshwar Rao, Assistant Labour Officer, Peddapalli, Karimnagar District for the offences punishable under section 7 and sub-section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the above aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Dr. SHASHANK GOEL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General, Anti Corruption Bureau, Telangana, Hyderabad.
Copy to:
Law (F) Department.